

POLICY TITLE: RIGHTS AND RESPONSIBILITIES OF RESIDENTS POLICY NUMBER: 14.2 CHAPTER 14: RESIDENT RIGHTS		PAGE 1 OF 4
 STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 		PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: February 1, 2002	LATEST REVISION: February 12, 2018	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

All residents have certain rights and responsibilities. These rights and responsibilities shall be clearly defined, and both residents and staff shall be familiar with them.

IV. CONTENTS

Procedure A: Resident Rights
Procedure B: Resident Responsibilities

V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Resident Rights

1. Residents have the right to expect that they shall be treated respectfully, impartially, fairly, and with dignity.
2. Residents have the right to not be subjected to corporal punishment, personal injury, disease, physical, mental or emotional abuse, humiliation, sexual

harassment, other harassment, verbal abuse or threats, punitive interference with the daily functions of living, such as eating or sleeping, or property damage.

3. Residents have the right to be supervised by trained staff and/or trained volunteers only.
4. Residents have the right to be informed of relevant policies and procedures and schedules concerning the operation of the facility, provided such information does not jeopardize the safety, security, or orderly management of the facility.
5. Residents have the right to be informed in writing of the rules and the sanctions for violation of the rules.
6. Residents have the right to a fair disciplinary process prior to the imposition of a disciplinary sanction.
7. Residents have the right to be present at all classification meetings dealing with them, provided their behavior does not preclude their attendance.
8. Residents have the right to participate in religious services and religious counseling on a voluntary basis, subject only to the limitations necessary to protect the safety, security, or orderly management of the facility. Residents shall have access to clergy, religious publications, and related services that assist them to adhere to their religious practices, subject only to the limitations necessary to protect the safety, security, or orderly management of the facility.
9. Residents have the right to balanced, nutritious meals in adequate quantities, adequate sanitation, adequate lighting, adequate sleeping space, and adequate ventilation.
10. Residents have the right to shelter in compliance with applicable fire and safety codes.
11. Residents have the right to adequate medical and mental health treatment.
12. Residents have the right to have regular visits with their families, as allowed by Department Policy (JF) 16.3, Visitation.
13. Residents have the right to correspond with others, as outlined by Department Policy (JF) 16.1, Resident Mail.
14. Residents have the right to participate in educational programs appropriate to their needs, in compliance with federal and state laws concerning education.
15. Residents have the right to the programs and services recommended in their individualized case plans, within the limits of the facility's resources.
16. Residents have the right to access a process for the reporting of any problems they have while at the facility, without penalty or threat of penalty. (See

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Department Policies (JF) 29.1, Resident Grievance Process, General and (JF) 29.2, Resident Grievance Process, Medical and Mental Health Care Grievances).

17. Residents have the right to review their juvenile criminal history records and Department of Corrections records, within the limits of the law, as set forth in Chapter 22, Resident Records.
18. Residents have the right to a reasonable opportunity for physical exercise.
19. Residents shall be allowed freedom in personal grooming subject only to the limitations necessary to protect the safety, security, or orderly management of the facility.

Procedure B: Resident Responsibilities

1. Residents have the responsibility to treat others with respect.
2. Residents have the responsibility of asking for medical and mental health care, counseling, and direction from staff when they need it.
3. Residents have the responsibility to follow the rules, schedules and directions of staff.
4. Residents have the responsibility of not discriminating against other residents or staff and not using language or acting in a manner that would imply prejudice or discrimination.
5. Residents have the responsibility to not harass, intimidate, physically, sexually, or verbally abuse, threaten, assault, or humiliate others.
6. Residents have the responsibility to respect the property rights of others.
7. Residents have the responsibility of conducting themselves properly during visits and following all mail, telephone, and visitation procedures.
8. Residents have the responsibility of not using profane or obscene language.
9. Residents have the responsibility of helping to maintain clean and tidy living quarters.
10. Residents have the responsibility of maintaining their clothes in a clean and odor free condition. It is also their responsibility to keep their persons, including their hair, clean and odor free.
11. Residents have the responsibility of following the grievance process for reporting any problems they have at the facility and for reporting any action taken against them by other residents or staff because of filing grievances.

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12. Residents have the responsibility of using the appeal process for any disciplinary finding or recommended sanction they feel is unfair.
13. Residents have the responsibility to report, in a timely manner, information about potential threats to the safety of themselves, other residents, staff, or others or potential threats to security.

VII. PROFESSIONAL STANDARDS:

ACA:

- 4-JCF-[2A-09](#) Juveniles or groups of juveniles are not given control or authority over other juveniles.
- 4-JCF-[3A-02](#) Juveniles are not subjected to sexual harassment.
- 4-JCF-[3B-03](#) Juveniles are not subjected to corporal or unusual punishment, humiliation, disease, property damage, mental or personal abuse, personal injury, or punitive interference with the daily functions of living, such as eating or sleeping.

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